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#### PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

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Docket No: Q72653

Kenichiro NAKAJIMA

Group Art Unit: 1742

Appln. No.: 10/531,480 Confirmation No.: 9084

Examiner: Lazena Martin

Filed: April 15, 2005

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ALLOY CONTAINING RARE EARTH ELEMENT, PRODUCTION METHOD THEREOF, MAGNETOSTRICTIVE DEVICE, AND MAGNETIC REFRIGERANT MATERIAL

MATERIAL

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

# MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of a Communication from a Foreign Patent Office (European Search Report for corresponding European application no. EP 03 80 9445 dated July 21, 2006) citing the listed documents.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action \* EFS-Web Receipt date: 08/17/2006 10531480 - GAU: 1793

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/531,480 Attorney Docket No. Q72653

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114. A Statement Under 37 C.F.R. § 1.704(d) is enclosed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUNTOMER NUMBER

Date: August 17, 2006

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Docket No: O72653

E UNITED STATES PATENT AND TRADEMARK OFFICE

Kenichiro NAKAJIMA

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MATERIAL

### STATEMENT UNDER 37 CFR § 1.704(d)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application and that the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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> 23373 CUSTOMER NUMBER

Date: August 17, 2006

Sheldon L. Landsman
Registration No. 25.430

MODIFIED PTO/SB/08 A & B (08-03)

Application Number	10/521 400
	10/531,480
Confirmation Number	9084
	April 15, 2005
First Named Inventor	Kenichiro NAKAJIMA
Art Unit	1742
Examiner Name	Lazena Martin
Attorney Docket Number	Q72653
il ir Ar	ing Date st Named Inventor t Unit aminer Name

U.S. PATENT DOCUMENTS							
Examiner Cite	Cite	Document ?		Publication Date			
Initials*	No.1	Number	Number Kind Code <sup>2</sup> (if known)		Name of Patentee or Applicant of Cited Document		
		US					
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	FOREIGN PATENT DOCUMENTS						
Examiner	Examiner Cite	Foreign Patent Document			Publication Date	Name of Patentee or	
Initials*	No.1	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation <sup>6</sup>
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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		CHANG, et al., "Theoretical study of phase forming of NaZn <sub>13</sub> -type rare-earth intermetallics," <i>Journal of Physics: Condensed Matter</i> 15:109-120 (2003) XP002385787.	
		HU, et al., "Magnetic entropy change and its temperature variation in compounds La(Fe <sub>1-x</sub> CO <sub>x</sub> ) <sub>11.2</sub> Si <sub>1.8</sub> ,"  Journal of Applied Physics 92:3620-3623 (2002) XP012057320.	
		ZHANG, et al., "Magnetic entropy change in Fe-based compound LaFe <sub>10.6</sub> Si <sub>2.4</sub> ," Applied Physics Letters 77:3072-3074 (2000) XP012026561.	

Examiner Signature /John Sheehan/	Date Considered	03/19/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). \*See Kind Codes of USPTO Patent Documents as www.uspto gov, MPEP 901 04 or follow the hyperfinik from the table of the document to the intransit. \*Either Office that issued the document, by the two-learn code (WPO Standard ST.), \*To Standard ST.) and the indication of the year of the reign of the Emprorer unsay preced the serial number of the great of comment. \*Kind of document by the supporting upon provided as unicated on the Georgian under WIPO Standard ST. of possible Applicant is to indicate her/Affelight-Patente-Reference and the serial number of the precedence of the serial number of the provided ST. of possible standard ST. of possible standard